

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

MICHIGAN REGIONAL COUNCIL OF
CARPENTERS' EMPLOYEE BENEFITS
FUND, et al.,

Plaintiffs,

Case No. 24-cv-10907
Hon. Matthew F. Leitman

v.

MICHIGAN STUDS AND
WALLS, LLC, et al.

Defendants.

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Kevin Cox
Defendant, In Pro Per
3476 Gettysburg Road
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ORDER FOR DEFAULT JUDGMENT

THIS MATTER CAME before the Honorable Court on Plaintiffs' Motion for the Entry of a Default Judgment. The Court, being fully advised in the premises, finds that:

1. The Summons and Complaint was served on Defendant Michigan Studs and Walls, LLC (“MSW”) and Defendant Kevin Cox (“Cox”) on

April 11, 2024. The proof of service is on file with the Court (**ECF Nos. 6 and 7**).

2. Defendants did not file an answer or take any other action to defend themselves within 21 days following the service of process.
3. A Clerk's Entry of Default was entered against Defendant Cox on May 21, 2024 (**ECF No. 9**) and Defendant Michigan Studs and Walls, LLC on May 31, 2024 (**ECF No. 11**).

ACCORDINGLY, IT IS HEREBY ORDERED that

- A. Defendants submit to an audit of their books and records within thirty (30) days of the date of this Order for Default Judgment;
- B. Judgment be entered in Plaintiffs' favor against both Defendants Michigan Studs and Walls, LLC and Kevin Cox in an amount to be determined by said audit, for all unpaid fringe benefit contributions, together with liquidated damages thereon, accumulated interest, actual attorney fees, court costs and any other such sums as the Court may deem just and equitable. Additionally, Plaintiffs shall, upon filing a copy of the auditor's report and the appropriate affidavit(s) of a person (or persons) with knowledge, have amended judgment against the Defendants for all contribution amounts as are found to be due upon an audit, as well as interest thereon, at the rate of 10% per annum from the due date of the paid

contributions, liquidated damages at the rate of 12% of all delinquent amounts pursuant to Plaintiffs' resolutions, policies and procedures, and the provisions of the parties' collective bargaining agreement, as well as costs of the audit and statutory attorney fees, all pursuant to 29 U.S.C. 1132(g)(2).

IT IS FURTHER ORDERED that this Honorable Court shall retain jurisdiction of this matter pending satisfaction of this judgment and/or compliance with any additional orders.

IT IS SO ORDERED.

s/Matthew F. Leitman

MATTHEW F. LEITMAN

UNITED STATES DISTRICT JUDGE

Dated: June 26, 2024

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on June 26, 2024, by electronic means and/or ordinary mail.

s/Holly A. Ryan

Case Manager

(313) 234-5126